

### REMARKS

In view of the above amendments and following remarks, Applicant requests favorable reconsideration of the above-identified application.

Claims 1-5, 7-15, 17, 18, 20-25, and 27-30, 35-37, 39, and 41-46, are now pending in this application, with Claims 1, 7, 11, 17, 21, and 37 being independent. By this Amendment, Applicant has canceled Claims 19, 31-34, 38, and 40, amended Claims 1, 4, 5, 7, 10, 11, 14, 15, 17, 20, 21, 24, 25, 35, 36, 37, 39, and 41-43, and added new Claims 44-46.

Claim 38 stands rejected under 35 U.S.C. § 112, second paragraph. By this Amendment, Applicant has canceled that claim, rendering the rejection moot.

Claims 1, 2, 4, 5, 7, 9-12, 14, 15, 17, 19-22, and 24-43 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,995,774 (Hillmann, et al.). Claims 3, 8, 13, 18, and 23 have been rejected under 35 U.S.C. § 103 as being unpatentable over Hillmann, et al. in view of International Publication No. WO 98/52762 (Purcell, et al.). Applicant traverses these rejections.

As now amended, each of the independent claims generally recites that a memory of an expendable unit has three memory areas, including a memory area for storing data concerning the expendable unit, a memory area storing data concerning the recording agent, and a memory area (or setting area) for setting inhibition/permission of write with respect to the first and second memory areas. Applicant submits that the use of three different memory areas, as well as their interoperation, is not suggested by the references applied in the Office Action.

Applicant understands Hillman, et al. to describe an ink reservoir 11 having two memory strips 17. The memory strips 17 store information concerning the amount of ink in the ink reservoir 11, with the memory strips being updated as the ink is used. In another embodiment described in Hillman, et al., an ink reservoir 12 uses three memory strips 17. Again, however, memory strips 17 merely include bits of memory that indicate the amount of ink that is used, so as to keep track of the remaining ink.

Hillman, et al. does not describe or suggest an expendable unit having a plurality of different memory areas for recording different information, as discussed above with respect to the independent claims. In particular, Hillman, et al. fails to disclose or suggest a third memory area (or setting area) in which is stored predetermined data indicating inhibition of writing with respect to the first and second memories, particularly at different times for those memories.

Purcell, et al. is merely cited as describing a technique for communicating with a memory by a wireless transmission. Applicant submits that this document fails to remedy the deficiencies discussed above, with respect to Hillman, et al.

Accordingly, Applicant submits that Hillman, et al. and Purcell, et al., taken alone or in combination, fail to disclose or suggest at least the features of an expendable unit having a memory with a first memory area storing data concerning a use state of the expendable unit, a second memory area storing data concerning a use state of the recording agent, and a third memory area (or setting area) storing data for storing inhibition/permission of writing with respect to the first and second memory areas, as generally recited in each of the independent claims.

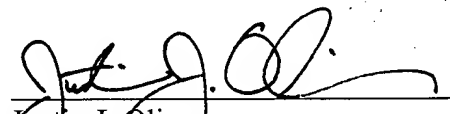
The remaining claims in the present application are dependent claims which depend from the above-discussed independent claims, and thus are patentable over the applied documents for reasons noted above with respect to those independent claims. In addition, each recites features of the invention still further distinguishing it from the applied documents. Applicant requests favorable and independent consideration thereof.

For the foregoing reasons, Applicant requests withdrawal of the rejections under 35 U.S.C. §§102 and 103, and allowance of this case.

This Amendment After Final Rejection is an earnest attempt to advance prosecution and is believed to clearly place this application in condition for allowance. At the very least, the changes presented herein reduce the number of issues on appeal. Applicant requests entry of this Amendment under 37 C.F.R. § 1.116.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

  
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